



**CITY OF CENTRAL POINT
PLANNING COMMISSION AGENDA
January 4, 2011 - 6:00 p.m.**



Next Planning Commission
Resolution No. 778

I. MEETING CALLED TO ORDER

II. ROLL CALL

Connie Moczygamba, Chuck Piland, Pat Beck, Mike Oliver, Justin Hurley, Tim Schmeusser and Keith Wangle

III. CORRESPONDENCE

IV. MINUTES - Review and approval of November 9, 2010 Planning Commission Minutes

V. PUBLIC APPEARANCES

VI. BUSINESS

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- A. File No. 11011.** Consideration of a Conditional Use Permit to occupy and operate a convalescent home within an existing duplex located in the R-2, Residential Two-Family (R-2) zoning district. The physical address is 134 Laurel Street and is identified on the Jackson County Assessor map as 37S 2W 03DD, Tax Lot 6000. **Applicant: Rogue Valley Recovery Homes; Agent: Harry Detwiler.**

VII. DISCUSSION

- A. Revisions to Flood Damage Prevention Ordinance
B. Twin Creeks Pre-Annexation Agreement Status

VIII. ADMINISTRATIVE REVIEWS

IX. MISCELLANEOUS

- A. Regional Problem Solving Update

X. ADJOURNMENT

**City of Central Point
Planning Commission Minutes
November 9, 2010**

I. MEETING CALLED TO ORDER AT 6:00 P.M.

II. ROLL CALL

Commissioners Chuck Piland, Tim Schmeusser, Keith Wangle, Justin Hurley, and Mike Oliver were present. Connie Moczygemba and Pat Beck were absent.

Also in attendance were: Tom Humphrey, Community Development Director; Don Burt, Planning Manager; Connie Clune, Community Planner; Dave Jacob, Community Planner; and Didi Thomas, Planning Secretary.

III. CORRESPONDENCE - None

IV. MINUTES

Mike Oliver made a motion to approve the minutes of the October 5, 2010 Planning Commission meeting as submitted. Justin Hurley seconded the motion. ROLL CALL: Oliver, yes; Hurley, yes; Schmeusser, yes; and Wangle, yes. Motion passed.

V. PUBLIC APPEARANCES – None.

VI. BUSINESS

- A. File No. 11008.** Consideration of a nonconforming designation of a building for the proposed operation of professional offices to be located in the Transit Oriented Development District – High Mix Residential (TOD-HMR) at 524 Manzanita Street, Central Point, Oregon, and identified on the Jackson County Assessor's map as 37S 2W 02CC, Tax Lot 2200. **Applicant: Rogue Federal Credit Union; Agent: CSA Planning Ltd./Craig Stone**

There were no conflicts or ex parte communications to disclose.

Dave Jacob, Community Planner, presented a staff report requesting consideration of the premises located at 524 Manzanita Street to be designated as Class A non-conforming to allow for its continued use as a professional office.

The public portion of the hearing was opened and the applicant's representative, Craig Stone of CSA Planning Ltd., came forward. Mr. Stone stated that there was only a single

story building on the property. He added that he was available to answer any questions that Commissioners might have.

As there were no additional questions or concerns to be expressed, the public portion of the hearing was then closed.

Justin Hurley made a motion to approve Resolution 775 granting approval of a nonconforming use designation of a building for the proposed operation of Rogue Federal Credit Union professional offices based on the standards, findings, conclusions and recommendations stated in the staff report. The subject property is located at 524 Manzanita Street, Central Point, Oregon (Jackson County Assessor's map 37S 2W 02CC, Tax Lot 2200). Tim Schmeusser seconded the motion. ROLL CALL: Hurley, yes; Schmeusser, yes; Wangle, yes; and Oliver, yes. Motion passed.

B. File No. 11009. A public hearing to consider a Conditional Use Permit for the proposed operation of professional offices as a Class "A" nonconforming use to be located in the Transit Oriented Development District – High Mix Residential (TOD-HMR) at 524 Manzanita Street, Central Point, Oregon, and identified on the Jackson County Assessor's map as 37S 2W 02CC, Tax Lot 2200. **Applicant: Rogue Federal Credit Union; Agent: CSA Planning Ltd./Craig Stone**

There were no conflicts or ex parte communications to disclose. Mike Oliver stated that he made a site visit.

Community Planner Dave Jacob advised Commissioners that the applicant is requesting a conditional use permit to allow professional office use of the structure located at 524 Manzanita Street. The structure complies with all zoning requirements and there is adequate parking available to the site for the proposed use.

The public portion of the hearing was opened.

Matt Stephenson, Chief Financial Officer for Rogue Federal Credit Union, came forward and stated that the potential long term use of the property along Pine Street might include the construction of a new building; short term use is presently unknown. Craig Stone, agent for the applicant, came forward as well to state that future plans for the entire parcel are unknown.

The public hearing was then closed.

Justin Hurley made a motion to approve Resolution 776 granting approval of a conditional use permit for the operation of Rogue Federal Credit Union professional offices based on the standards, findings, conclusions and recommendations stated in the staff report. The subject property is located

at 524 Manzanita Street, Central Point, Oregon (Jackson County Assessor's map 37S 2W 02CC, Tax Lot 2200). Tim Schmeusser seconded the motion. ROLL CALL: Schmeusser, yes; Wangle, yes; Oliver, yes; and Hurley, yes; . Motion passed.

C. File No. 10010. A public hearing to consider amendments to the City of Central Point Municipal Code Section 17.44, Tourist and Professional Office District, Section 17.72, Site Plan and Landscaping Plan Approval, Section 17.64, Off-Street Parking, and the addition of Section 17.75, Design Standards. **Applicant: City of Central Point**

There were no conflicts or ex parte communications to disclose.

Planning Manager Don Burt gave a presentation on proposed amendments to the Central Point Municipal Code zoning title 17.44, Tourist and Professional Offices, 17.64, Off-Street Parking and Loading Standards, Section 17.72, Site Plan and Landscaping Plan Approval, and the addition of 17.75, Design Standards.

Mr. Burt stated that the primary intent of the changes was to eliminate size restrictions to accommodate large retail establishments. Some of the challenges involved include the establishment of design standards, maintaining a "small town" feel and complying with the comprehensive plan. In order to maintain a "small town" feeling with future development, design standards are needed to create walkability and maintain pedestrian scale.

Proposed changes to code were broken down into sections. Beginning with section 17.44, Tourist and Office Professional, Mr. Burt reviewed changes that are proposed to uses, signage and parking. All design standards have been consolidated to section 17.75.

Section 17.72, Site Plan and Architectural Review (SPAR), has been changed to focus on landscape and architectural design plans for any proposed use and are applicable to all development and new construction. Major and minor projects are defined in this section which has been rewritten in its entirety to achieve consistency.

Section 17.64, Off-Street Parking and Loading, contains modifications for bicycle and handicapped parking and makes reference to the City's Transportation System Plan. The section sets out how much parking a development will need and has converted text to tables. Maximum parking requirements have been established for non-residential uses as well. This section of code gives the Community Development Director the authority to determine the amount of parking that would be required for uses not listed.

Finally, section 17.75, Design and Development Standards, has been written to include criteria for the management of large retail building design and ensures that the "small town" objective of the City is attained. The proposed design standards will apply to all zoning districts, with the initial focus on commercial development (landscape standards,

illumination, building design standards, façade articulation and equipment screening to name a few).

At the conclusion of the presentation, the public portion of the hearing was opened to receive comments.

Attorney Mark Bartholomew came forward. He stated that he was a resident of Central Point, thanked Don Burt for all of the time spent on the proposed code changes, and added that he represented a number of stakeholders who would be affected by the changes in the code as it pertains to the C-4 zoning district.

Mr. Bartholomew expressed dissatisfaction with the 40% glazing requirement in section 17.75, saying that it was excessive and would be expensive to create. In addition, it would prevent utilization of those areas for merchandise storage. He recommended that a 20% requirement could apply to the front of the store and would be more realistic. In addition, the requirement for two entrances to a store would be more problematic than one entrance for security reasons. Mr. Bartholomew said that the required façade articulation would add unnecessarily to the cost of construction and requested that staff reconsider to require architectural elements every 100 feet and not every 40 feet as written.

Other areas of the proposed code that Mr. Bartholomew requested changes in were setbacks, allowing parking in setbacks, removing the requirements for loading zones, adding additional permitted uses (bowling alley, truck rentals, vehicle sales). He additionally requested that in table 17.64.02, maximums be eliminated as customer traffic would be pretty high for banks and other financial institutions. The language in section 17.75.070 (2)(f) is too vague, he stated, and leaves too much room for interpretation.

Frank Pulver, commercial real estate developer, came forward and stated that the current C-4 district standards have been hard to work with. He would like to see us get away from the “tourist” designation in code and create an ordinance that would allow major retailers to come in and develop. Economics, he stated, is key to making something happen, and the uses set forth in code are ambiguous between wholesale and retail. There needs to be something to allow for a hybrid use.

Don Burt responded to the issues raised, stating that the code contains provisions to exceed maximum parking requirements; big boxes generally have two entrances; the purpose of glazing is that it is more pleasing to customers; façade articulation is supported by ordinances throughout the country and 40% glazing is a goal, with provisions for alternative design solutions. As far as C-4 district setbacks, the code allows for a building to go anywhere on a property but the parking has to be set back and loading zones are per the current code. Illumination and minimum/maximum parking were changes that were introduced this evening.

Tom Humphrey, Community Development Director, advised that staff is in no hurry to

move forward with the code changes. They can wait until January to go before the City Council. Mr. Humphrey said that it sounds like the group wants some degree of predictability going forward.

Chuck Piland, Vice Chairman, said that Commissioners are not here to make developers happy but to make the citizens of Central Point happy.

Mr. Burt advised the Commissioners that they had several options available to them. They could either close the public hearing or leave it open to be continued; or the hearing could be closed with recommendations and changes forwarded to the City Council. Staff recommends that the proposed code changes be forwarded to the City Council.

The public hearing was then closed.

Don Burt advised that wholesale uses should not be added as permitted uses in the C-4 zone as this would not be consistent with the intent of the C-4 district and would further require remanding proposed changes to DLCD for review and comment.

Planning Commission members inquired about the Citizens' Advisory Committee's reaction to the proposed changes. Tom Humphrey stated that there were a mixture of feelings. Two of the members were concerned with lifting the size limitation and recommended that we keep the 80,000 but make concessions based on who the applicant is.

Keith Wangle made a motion to approve Resolution No. 777 forwarding a favorable recommendation to the City Council to consider amendments to the municipal code zoning title 17.44 Tourist and Professional Office, 17.64 Off-Street Parking and Loading Standards, 17.72 Site Plan and Landscaping Plan Approval, and the addition of 17.75, Design Standards based on the standards, findings, conclusions and recommendations stated in the staff report and including the changes to illumination and parking that were presented by Mr. Burt. Tim Schmeusser seconded the motion. ROLL CALL: Wangle, yes; Oliver, yes; Hurley, yes; and Schmeusser, yes. Motion passed.

VII. DISCUSSION

Transportation Growth Management Grant

Mr. Humphrey advised that the City has received grant funds to study and evaluate the downtown corridor from Haskell Street to I-5, looking at changing Pine Street from four lanes to three; creating bike lanes, making aesthetic improvements and creating a more walkable downtown area. A representative is needed from the Planning Commission to participate. Chuck Piland volunteered to be a representative and commissioners Justin Hurley and Mike Oliver volunteered to be alternates.

VIII. ADMINISTRATIVE REVIEWS

IX. MISCELLANEOUS

X. ADJOURNMENT

Mike Oliver made a motion to adjourn the meeting. Tim Schmeusser seconded the motion. Meeting was adjourned at 8:25 p.m.

The foregoing minutes of the November 9, 2010 Planning Commission meeting were approved by the Planning Commission at its meeting on the _____ day of _____, 20____.

Planning Commission Chair

**ROGUE VALLEY RECOVERY HOMES —
CONDITIONAL USE PERMIT**

City of Central Point, Oregon

140 S 3rd Street, Central Point, OR 97502
541.664.3321 Fax 541.664.6384
www.centralpointoregon.gov



Community Development

Tom Humphrey, AICP
Community Development Director

STAFF REPORT

January 4, 2011

AGENDA ITEM: File No. 11011

Consideration of a Conditional Use Permit application for a fifteen (15) person convalescent home to establish a self-run recovery home within an existing duplex located in the R-2, Residential Two-Family (R-2) zoning district. The physical address is 134 Laurel Street and is identified on the Jackson County Assessor's map as 37S 2W 03DD, Tax Lot 6000. **Applicant: Rogue Valley Recovery Homes; Agent: Harry Detwiler.**

STAFF SOURCE:

Connie Clune, Community Planner

BACKGROUND:

Proposed Use – The applicant proposes to operate within an existing duplex a self-run convalescent home, Rogue Valley Recovery Homes, a non-profit organization providing support for up to fifteen (15) people transitioning from addiction to self-sufficiency. The peer monitoring of this group home requires individual accountability and adherence to the program's rules of sober, lawful behavior of each tenant (see Applicant Exhibit D). Convalescent homes are allowed as a conditional use within the R-2 district.

As a use, convalescent homes are classified as a group quarters type facility for rehabilitation or recuperation from disability or illness¹. The Americans with Disabilities Act 2008, Section 12114 (b) recognizes an individual successfully recovering, or who is participating in a rehabilitation program, as a qualified individual with a disability.

Nonconforming Status – The proposed operation will be housed in a duplex built in the 1950's. By duplex standards, this is a very large structure (4,620 square feet, 11 bedrooms total). The duplex previously operated for a number of years as the Laurel Residential Care Facility, a licensed residential care facility. Residential Facilities are allowed as a permitted use in the R-2 zone². Since 2005 the building has been used as a duplex.

In 1988, the building was designated a Class "A" Nonconforming structure. The nonconforming status was based on insufficient parking, coverage and setback non-compliance. At the time of Class "A" designation, the Planning Commission allowed the continued use of the structure as a residential care facility (permitted use), provided that the occupancy did not exceed 15 people.

¹ CPMC 17.08.010

² CPMC 17.24.020(H)

Parking – The following table illustrates the required parking under various use scenarios³ allowed within the R-2 district. Based on the proposed use of the property as a convalescent home there is an off-street parking deficiency of four (4) spaces.

PROJECT SITE OFF-STREET PARKING REQUIREMENTS				
Use	Parking Ratio	Required Parking	Existing Parking	Parking Deficiency
Duplex	2: Dwelling Unit	4	4	0
Residential Home	2: Dwelling Unit	4	4	0
Residential Facility	2: Dwelling Unit	4	4	0
Convalescent Homes	1: Two Beds	8	4	4

The Applicant argues that few of the tenants have vehicles (approximately 37% have vehicles), requiring a minimum of six (6) off-street spaces, reducing the deficiency from four (4) to two (2) spaces. As a further mitigating circumstance it is noted that within 495 feet, the Rogue Valley Transit District (RVTD) has a covered bus stop (Manzanita and Second Streets). Although not located within the TOD district, the project site is adjacent to the boundary (see map Attachment E). The TOD district allows a 25% parking reduction when transit services are available. If a parking reduction were allowed for transit availability, then the parking requirement would be reduced to six (6) spaces, leaving a deficiency of two (2) spaces.

ISSUES:

The primary issue in consideration of this application is the adequacy of parking. As indicated in the above table, a minimum of eight (8) spaces are required by code. However, the Planning Commission is authorized⁴ to adjust off-street parking requirements based on the unique characteristics of the proposed use. In this case the unique characteristics would be:

1. Proximity to transit service; and
2. Due to the disabilities of the tenants few have a vehicle.

Considering these two characteristics it could be argued that a minimum of six (6) parking spaces would be adequate. This would require two (2) additional parking spaces. The only location for off-street parking would be to create parking within the Laurel Street front yard setback of the property and an added provision to allow tandem parking in the driveway and for the existing rear carport.

FINDINGS:

Subject to conditions the application can be found to meet the Conditional Use Permit criteria as conditioned (See Attachment "F").

CONDITIONS OF APPROVAL:

1. Applicant shall submit to the Planning Department, for review and approval, a scaled

³ CPMC Section 17.64 C (2)

⁴ CPMC Section 17.76.050(E)(3)

parking plan demonstrating that a minimum of six (6) off-street parking spaces can be provided on-site. Said parking plan shall comply with all code provisions, unless otherwise waived as noted below. Said plan shall be submitted within 30 days of the Planning Commission's approval. In preparing the parking plan, the following design provisions are authorized⁵:

- a. Tandem parking is permitted provided the proposed tandem parking does not extend over an existing, or future sidewalk;
 - b. The structural character of the building is considered to retain its duplex designation and as such backing movements into the public right-of-way are permitted⁶; and
 - c. Proof of a long-term lease arrangement for off-site parking located within three hundred (300) feet of the project site.
2. It shall be the Applicant's responsibility to manage parking in a manner that does not cause negative impacts on adjacent properties. If parking becomes an issue the applicant has 30-days to resolve from the time of written notification by the City. If not resolved to the satisfaction of the City within the 30-day limit, the City shall have the authority to revoke this Conditional Use Permit.
 3. Conditions as listed by the Central Point Public Works Staff Report dated December 20, 2010:
 - a. Applicant shall either install sidewalks at this time or shall sign a Deferred Improvement Agreement (DIA).

ATTACHMENTS:

Attachment "A"- Applicant submittals Exhibits A, B, C, and D
Attachment "B"- Tom Humphrey letter dated October 29, 2010
Attachment "C"- City of Central Point Public Works Staff Report
Attachment "D"- Rogue Valley Sewer Staff Report
Attachment "E"- Map: TOD Boundary
Attachment "F"- Findings of Fact
Attachment "G"- Resolution

⁵ CPMC 17.76.040(E)(3)

⁶ CPMC Section 17.64.100(E)(3)

ACTION:

Consideration of Resolution No. ____, approving the Conditional Use Permit application for a fifteen (15) person convalescent home to establish a self-run recovery home File: 11011.

RECOMMENDATION:

Approval of Resolution No. ____, granting the Conditional Use Permit.



120 S. Mountain Ave
Ashland OR 97520
541-261-5345

Email us

We are providing support to the renters of self-run self-supported homes:

1. Assist tenants to access local, state and federal government assistance
2. Provide group counseling and mediation at no charge
3. Make available lists of local self-run self-supported recovery homes
4. Solicit donations for local homes and provide possible tax-deductible status for those donations
5. List local recovery programs and services
6. Advocate for individuals in the homes
7. Help with skills to find jobs and build resumes
8. Provide schedules of local recovery programs.

AA meetings in Jackson County

AA Oregon

AA World Services

Addictions Recovery Center

OnTrack, Inc.

Asante--Genisis

Oxford Houses, Inc.

We help a variety of self-run self-supported homes

1. Drug and alcohol recovery
2. Returning prisoners

We are not:

1. Owners of housing
2. Managers of housing
3. A recovery program
4. Offering financial or material assistance to individuals, only to homes as a whole
5. Associated with Oxford Houses, Inc.

We are:

1. A non-profit organization that receives donations that may be tax deductible under the rules of the IRS.
2. Dedicated to helping people recover from their addictions and economic hardships.
3. Run by volunteers with no paid staff.

A self-run self-supported recovery home is a rental home leased by a group of people in recovery. They lease from landlords who are understanding of the difficulties faced by people in recovery. As tenants move out and others move in the house remains leased. Over a period of a few years there may be no original tenants left.

There are only a few basic rules to a self-run self-supported recovery house, though individual houses and programs may have an extended rule set:

1. No drug or alcohol use
2. No drugs or alcohol in the house
3. No violent behavior
4. Democratic governing
5. Lawful behavior, i.e. no unlawful activities
6. Individual participation in a program of recovery



ROGUE VALLEY RECOVERY HOMES

120 S. Mountain Avenue
Ashland, Oregon 97520

541-261-5345

info@roguevalleyrecovery.org
www.RogueValleyRecovery.org

"A Sober Living Environment"

Rogue Valley Recovery Homes are dedicated to helping people who are recovering from drug and alcohol addiction.

Opening Soon a Large Veteran's Home In Southern Oregon

Here are some of the ways you can support the efforts of our organization and clients.

- **Home Furnishings:** Stoves, Refrigerators, Freezers, Washers & Dryers.
- **Beds & Beddings:** Dressers, End Tables, Lamps.
- **Dining Room Furnishings:** Tableware, Silverware, Serving Pieces.
- **Handtools:** Lawns Mowers & Yard Care Tools.
- **Firewood**
- **Other miscellaneous items to assist in providing a comfortable living environment.**

We at Rogue Valley Recovery Homes look forward to serving our community by assisting families and individuals who may otherwise get overlooked by other agencies. Rogue Valley Recovery Homes is a non-profit organization, donations are tax deductible under rules of the IRS.

For more information please contact us at 541-261-5345.

We look forward to working with you!



ROGUE VALLEY RECOVERY HOMES

120 S. Mountain Avenue
Ashland, Oregon 97520

541-261-5345

info@roguevalleyrecovery.org
www.RogueValleyRecovery.org

"A Sober Living Environment"

Rogue Valley Recovery homes are dedicated to helping people who are recovering from drug and alcohol addiction.

Rogue Valley Recovery Homes is a non-profit organization that receives support through tax deductible donations under the rules of the IRS. There is no paid staff in this organization; RVRH is run by a board of directors who strive to make RVRH a positive influence in the recovery community. Our board of directors meets on the second and fourth Tuesdays of the month to discuss the progress of our house members, as well as the progress made by the organization.

RVRH has a total of four (4) sober living environments, three (3) of which are "men's" recovery houses, which have space for 18 men, and one (1) which is a dwelling for a family in recovery. Even though the clients who live in these dwellings are highly motivated to stay clean and sober while working to become productive members of our society, they still need help.

Many of our homes are in need of several items that will assist in the day to day operations of the home, as well as assist our clients in getting on their feet again.

Here are some of the ways you can support the efforts of our organization and the clients.

- Home Furnishings
- Beds and bedding
- Dishes and Silverware
- Yard and garden tools
- Firewood
- Other miscellaneous items to assist in providing a comfortable living environment.

We at Rogue Valley Recovery Homes look forward to serving our community by assisting families, and individual who may otherwise get overlooked by other agencies.

For more information please contact us at 541-261-5345

We look forward to working with you!

Rogue Valley Recovery Homes

ROGUE VALLEY RECOVERY HOMES: RULES & REGULATIONS

PROPERTY DESCRIPTION

372 de Barr Ave./ 380 de Barr Ave. / 384 de Barr Ave./ 973 Janes Rd.

Medford, Oregon 97501

Jackson County

Rogue Valley Recovery Homes warrants that to the best of their knowledge and belief the aforesaid property is free of faults or deficiencies which would affect its safe and dependable operation under normal and prudent usage.

The member further agrees to:

[1] **30 day mandatory** probation period. **NO** overnight guests, **NO** staying out overnight. **11:00 pm** curfew on week nights (Sunday-Thursday) **12:00 am** on weekends (Friday & Saturday). Member **MUST** abide by **ALL** house rules (no exceptions) ~~during this time.~~

[2] shall not be used for **ANY** illegal purpose.

[3] Weekly house meetings are **mandatory**. Excused absences are: aftercare, work & medical emergencies. Missed/unexcused house meetings will result in a **\$25.00** fine. **3** or more unexcused absences **COULD** result in an eviction.

[4] **NO VIOLENCE!!!** Any physical altercations will result in immediate eviction for **ALL** parties involved & police **WILL** be contacted.

[5] **NO** smoking in the house or any bedrooms. Dispose of **ALL** cigarette butts in containers.

[6] Minimum attendance of **3** AA/NA meetings per week is required and meeting slips will be turned in at weekly house meeting. You must have a sponsor, if you do not have one, get one.

[7] If, at **ANY** time, you become unemployed, you will be **required** to actively seek employment until you become gainfully employed and provide weekly work search verification at the weekly house meeting (*minimum of 25 job contacts per week*).

[8] If you are on **ANY** medication, you must notify the house immediately. Any abuse of medications is considered a relapse. You must keep all medications locked up in your room. You will also be subject to a pill count at any time.

[9] **DO NOT** steal. Borrowing without asking is considered stealing and will result in an eviction. This goes for food, clothing, personal items, etc.

[10] Maintain **daily maintenance** of your living environment (pick up after yourself). This includes, but is not limited to, common areas, kitchen, bathrooms, as well as the yards. **DO NOT** leave personal items such as, clothing, papers, books or shoes out in the common areas. **ALL** such items shall be placed in your room when not being used. Keep your bedroom clean and functional (clothing & trash off floor).

[11] Keep the noise level at a minimal between the hours of **10:00 pm** and **10:00 am** (city ordinance) loud and distracting noises will **NOT** be tolerated. Uphold a level of respect for those living around you.

[12] Any member of the house has the right to call an emergency house meeting should an emergency arise. You must give **24 hour notice** of the meeting to **ALL** house members (including management). At that time **ALL** members **MUST** attend (See #3).

[13] Overnight guests are welcome only **AFTER** the probationary period has ended. **One (1) guest per night, per person. No more than 3 nights per week. NO other guests after 11:59 pm.** If your guest becomes disruptive or disrespectful to **ANY** member of the house, **YOU** will be held responsible for their actions, which could result in an eviction. **NO** person under the age of **18** is permitted, unless it is **YOUR** child. If your guest is acting as though they might be under the influence of a controlled substance, you **WILL** be subject to a drug test, and your guest will be asked to leave and not allowed on the property for 30 days.

[14] When utilizing the laundry facility, do your laundry in a timely manner. **DO NOT** assume that other house members will do it for you. **DO NOT** leave your laundry on top of the machines. Promptly remove your laundry when finished.

[15] Turn off lights, TV's, heaters, music, etc... when not in use.

[16] Random UA's will be given and if test comes back positive, you **can** be evicted immediately. Any person assumed to be under the influence of drugs or alcohol is subject to immediate UA. That person will then have **24 hours** to pack up and leave the property. If they are unable to take their belongings at that time, they may come back at a later date **ONLY** when management is present.

[17] There will be a weekly house chore list. Your assigned chore must be completed before the weekly house meeting. As well as regular upkeep during the week.

[18] If you plan to spend the night or several nights away from the house, inform a HOUSE MEMBER, as well as management. If no one is available, write a message on the message board and leave a voice mail on the house phone, as well as management voicemail. Make sure all of your household responsibilities are taken care of prior to leaving. **NOTE: you may be subject to a drug screen upon return to the house.**

[19] Written contracts will be drawn up for those exhibiting behaviors that are **NOT** conducive to the recovery process and the welfare of other house members.

[20] Know your rights and responsibilities as a house member. Learn the house expectations and if you are unsure of something, then **ASK**.

[21] **ALL** terms and conditions of the house rules, as outlined above in this agreement, **MUST** be followed.

DAMAGES

The member damages or breaks something belonging to the house or another house member, he **MUST** replace/fix the damaged property at his own expense and hereby agrees that he shall fully indemnify the Owner for **ANY** and **ALL** damage to or loss of the rented property during the term of this Agreement whether caused by fire, theft, flood, vandalism, or any other cause, except that which shall be determined to have been caused by a fault or deficiency of the rented property.

I, _____, have read and understand the house rules outlined above and agree to abide by them. Any questions I may have had, have been answered and explained to me.

Member's Signature

Date

Management Signature

Date

Rogue valley Recovery Homes Membership Application

The following information is confidential and will not be released to anyone other than the person named on this application without consent. We need to know specific information regarding your addiction, treatment, and ability to pay your share of the monthly expenses.

Please Print.

Name; _____ Date; _____

Current Physical Address; _____

Mailing Address; _____

Social Security Number; _____

What is your drug of choice (alcohol included)? _____

Have you taken part in inpatient/outpatient treatment? _____

If so, when and where? _____

Did you complete treatment? _____

Are you involved with ANY court agency? _____

County, State, Program title; _____

Please list ALL drugs you have used;

Last date of drug and/or alcohol use; _____

How many AA/NA meetings do you attend a week? _____

Do you have a "home" group? _____

Do you take any prescription Medications? If so please list them all;

Are you currently employed? _____

Please list employer information on page 3.

Do you receive Social Security? _____

Please list that amount on page 3 under "other income".

What is your total monthly income? _____

Do you expect your income to change in the next month? _____

If YES, please explain; _____

Have you previously lived in "Recovery Based housing"? _____

If YES, Please list where; _____

Please List two (2) relatives, their contact number and relationship to you.

Who do we contact in case of an emergency? _____

Please provide any medical problems or allergies; _____

Use space below for any additional information you think is relevant to this application;

Employers Name; _____ Phone #; _____

Address; _____

Your Job title; _____

Pay Dates; _____

I am currently **NOT** employed, but am actively looking and have applied for work at;

_____	_____
_____	_____
_____	_____

() I am NOT looking for work at this time and do not expect to find employment.

If you checked the above box, please explain why. _____

Please List **ALL** Other Income;

From; _____ Amount Monthly; _____

From; _____ Amount Monthly; _____

Any other Income information; _____

I, _____ do hereby accept the following requirements for my stay in Rogue Valley Recovery Homes. I understand that my stay in RVRH is contingent upon specific behaviors and actions that will be outlined in the Rules and Regulations of RVRH. I also understand that all moneys paid are for RENT of my bedroom and use of standard household facilities. Any deviations from the house rules/regulations will be subject to review by the House Director and the House Manager, which could result in immediate discharge from the house.

I agree to remain drug and alcohol free at ALL times, submit to urinalysis and/or breathalyzer tests upon request, and to pay for the test.

I furthermore agree to use my best efforts to address any behaviors contrary to the above and to discuss any inappropriate behavior (s) with the House Director and House Manager. I understand that I may sometimes fail, but I agree to make an honest effort to improve my life. Repeated failure will be reviewed, and may result in additional requirements to be placed upon me, or possible house eviction.

The nature of the Rogue Valley Recovery Homes requires that I enter into a personal contract, and that I will not use ANY mind altering substances. By signing below I agree that if I relapse, I will be asked to leave immediately, and will forfeit any and all deposits.

Agreed to; _____

Name; _____ Date; _____

Do NOT write below this line – for official use ONLY

Application Accepted () Date; _____

House Director Approval; _____

Move IN Date; _____

House Key issued; _____ House Key Returned; _____
Applicant House Director

Move OUT Date; _____

Reason for move OUT; _____

Balance due on RENT; \$ _____

Application NOT accepted () Date; _____

Reason; _____

House Director Notes:

City of Central Point, Oregon

140 So. Third St., Central Point, Or 97502
 541.664.3321 Fax 541.664.6384
 www.ci.central-point.or.us



Planning Department

Tom Humphrey, AICP,
 Community Development Director/
 Assistant City Administrator

October 29, 2010

Harry Detwiler
 Rogue Valley Recovery Homes
 120 S. Mountain Avenue
 Ashland, Oregon 97520

Dear Mr. Detwiler:

I'm writing in response to your proposal to establish a *self-run recovery home* at 134 Laurel Street in Central Point. This is an admirable effort to house and rehabilitate people who are recovering from addictions or who are re-entering society after having been incarcerated. The building that you are considering for your operation is a duplex totaling 4620 square feet and it is located in the R-2 Two-Family Residential zoning district. You have stated that you would like to house as many unrelated adults in the duplex as possible however there are some limitations in both the zoning and building codes that I will explain to you in the balance of this letter. I will also give you some direction if you choose to proceed with your plans.

After reviewing the zoning code requirements, two-family dwellings are permitted uses when occupied by a family which the CPMC defines as, *an individual; or two or more persons related by blood, marriage, legal adoption or guardianship; or a group of not more than five unrelated persons living together in a dwelling unit.* Under the City's regulations you are permitted to have five (5) unrelated persons living in each of the two units for a total of ten (10) persons. No zoning or building permits would be required under these circumstances.

The R-2 zoning district also permits *Residential Facilities* as defined in Oregon Revised Statutes 197.660 (1) and means a residential care, residential training or residential treatment facility (ORS 443.400) that provides residential care alone or in conjunction with treatment or training or a combination thereof for six (6) to fifteen (15) individuals who need not be related. The law goes on to say that staff persons are required to meet licensing requirements and shall not be counted in the number of facility residents. In this case there would be no zoning or building permits required but your facility would have to be staffed and licensed by the state. The City would require you to supply a copy of your application and the supporting documentation for state licensing of your facility.

Finally, the R-2 zoning district also allows as a Conditional Use, *convalescent homes* defined as a group quarters type facility for either short or long term individual care, medical treatment, rehabilitation or recuperation from disability or illness. In this case, the building code for *Congregate living facilities* would come into play where sixteen (16) or fewer occupants are permitted to comply with the construction requirements for a Group R-3 building. The City would require you to apply for a conditional use permit which would be considered by the Planning Commission at a public hearing and, if approved, you would be permitted to operate.

I have provided you with the above information to assist you in deciding which course of action you would like to pursue. I have discussed your proposal at length with the Central Point City Attorney and he has also reviewed the material you submitted from the National Institute on Chemical Dependency.

Our attorney believes that the municipal code appropriately addresses the requirements for halfway houses and does not conflict with state or federal law.

When you have decided what you would like to do, we will schedule a meeting with you to clarify any questions you have and then move forward. Please do not hesitate to call the office should you have any questions regarding this letter.

Sincerely,

Tom Humphrey AICP

C. Don Burt AICP, Planning Manager
Todd Meador, Building Official
Chris Clayton, Assistant City Administrator
Paul Nolte, City Attorney
Frank Cavin, Property Owner

Public Works Department**Matt Samitore, Director*****PUBLIC WORKS STAFF REPORT*****December 20, 2010****AGENDA ITEM:**

CUP for Rogue Recovery Homes
Applicant: Rogue Recovery Homes
Zoning: TOD-LMR

Traffic:

A traffic analysis was completed in association with the original development. Since this is a reduction in the number of lots no additional traffic study is warranted.

Issues:

1. Shared Parking – There is currently no available spaces for shared parking in the Senior Center Parking Lot. If parking is needed a formal agreement will have to be met for the public parking lot located at the corner of Second and Manzanita streets.
2. Sidewalks– There are currently no sidewalks on this lot. Currently, there are also no sidewalks on any portion of the block. They will eventually need to be added as the City's sidewalk improvement program reaches this area.

Existing Infrastructure:

Streets: Laurel Street is residential street that is fully improved.
Water: There are existing 4-inch line waterlines on Laurel Street.
Storm Water: There is no storm drain on this section of Laurel Street.

Conditions of Approval:

1. Sidewalks – Applicant shall either install sidewalks at this time or shall sign a Deferred Improvement Agreement (DIA), indicating they will pay for them when sidewalks are to be installed at some point in the future.



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 97502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

December 13, 2010

Connie Clune
City of Central Point Planning Department
155 South Second Street
Central Point, Oregon 97502

Re: Conditional Use Permit for 134 Laurel Street, File # 11011

The subject property is currently served by a connection to the sewer main on Laurel Street. The existing 4 inch service lateral meets plumbing code requirements but it may be advisable to increase this to a 6 inch service lateral due to the planned intensive use. This would be at the discretion of the property owner.

The change in use will incur additional System Development Charges. The applicant should contact Rogue Valley Sewer Services so that these charges can be calculated and paid prior to the change in use. Credit against SDC's for the existing duplex will be allowed.

Feel free to call me if you have any questions.

Sincerely,

Carl Tappert

Digitally signed by Carl Tappert
DN: cn=Carl Tappert
Date: 2010.12.13 13:31:31 -08'00'

Carl Tappert, PE
District Engineer

\\BCVSA_TREE\BCVSA41_VOL1.MEDOR.BCVSA\DATA\AGENCIES\CENTPT\PLANNING\CUP\2010\11011_134 LAUREL.DOC



Rogue Valley Recovery Homes

134 Laurel Street

Adjacent Uses

Legend

--- TOD Boundary

ATTCHMENT F

FINDINGS OF FACT AND CONCLUSIONS OF LAW File No: 11011

INTRODUCTION

In the matter of a Conditional Use Permit application for a fifteen (15) person convalescent home to establish a self-run recovery home within an existing duplex located at 134 Laurel Street. Rogue Valley Recovery Homes, a non-profit organization, provides support to tenants transitioning from addiction to self-sufficiency. The peer monitoring of this group home requires individual accountability and adherence to the program's rules of sober, lawful behavior of each tenant.

17.24.030 R-2, Residential Two-Family District Conditional uses.

The following uses and their accessory uses are permitted in the R-2 district when authorized by the planning commission in accordance with Chapter 17.76:

A. Rest homes, nursing homes and convalescent homes;

17.08.010 Definitions, specific.

"Convalescent home" means a group quarters type facility for either short or long term individual care, medical treatment, rehabilitation or recuperation from disability or illness.

Finding: The project site is within the R-2, Residential Two-Family zoning district. CPMC Section 17.24.30(A) provides review for a convalescent home and as such the Applicant submitted this application.

Finding: CPMC 17.08.010 defines a convalescent home to include rehabilitation or recuperation from disability or illness. The Americans with Disabilities Act 2008, Section 12114 (b) recognizes an individual successfully recovering or who is participating in rehabilitation program as a qualified individual with a disability.

Finding: The proposed project is self-run recovery home for fifteen (15) residents with defined disabilities and as such meets the definition of convalescent home.

Conclusion: The proposed use is defined as a convalescent home.

17.76.040 Findings and conditions.

The planning commission, in granting a conditional use permit, shall find as follows:

A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;

Finding: The 4,620 square feet, 11 bedroom duplex is adequate in size and shape to accommodate up to fifteen tenants as proposed. Previously, the building served as the Laurel Residential Care Facility. The 2010 Oregon Structural Specialty Code classified the building as Group *R-3 Occupancies, Congregate living facility* with sixteen (16) or fewer occupants permitted, OSSC Section 310.

Finding: On January 5, 1988, the Planning Commission designated the subject building as a Class A Nonconforming structure. The Commission found that the building, built in the 1950s, lacked sufficient parking, setbacks and it exceeded the maximum building coverage for a property in the R-2 zoning district. At the time of classification the Planning Commission allowed the continued use of the structure as a licensed residential care facility (permitted use), provided that the occupancy did not exceed 15 people. Use of the property as a 15 bed residential care facility did not generate any parking complaints.

Finding: The R-2 district requires two (2) covered parking spaces per unit. The subject site has four (4) parking spaces, (three (3) covered) which meets the minimum requirements for a duplex and residential care facility in R-2 district.

For a convalescent facility CPMC Section 17.64 C (2) requires one (1) parking space per two residents or eight (8) spaces for this project. The Applicant states that few of the tenants have vehicles. Based on the four operating Rogue Valley Recovery Homes and the current tenants, the number of tenants with a vehicle averages 37%, reducing the parking need to six (6) spaces.

Finding: The Rogue Valley Transit District (RVTD) has a covered bus stop located on Manzanita and Second Streets to service Route 40 riders. The project site is within 495 feet of a covered bus stop (Manzanita and Second Streets) for the Rogue Valley Transit District (RVTD). Although not located within the TOD district, the project site is adjacent to the boundary (see map Attachment E). The TOD district allows a 25% parking reduction when transit services are available. If a parking reduction were allowed for transit availability, then six (6) parking spaces would be required.

Finding: The City of Central Point parking lot located at 120 First Street, west of the Senior Center and south (behind) of the project site, has existing parking agreements with the Rogue Valley Council of Governments (RVCOG) and the Senior Center and as such, no extra parking spaces are available to designate as additional parking for the Recovery Home.

Finding: In 2005 the structure was remodeled to a duplex as evidenced by Building Permit B05-039. A duplex is a permitted use in the R-2 district. Each dwelling unit of the duplex can be occupied by a family related by blood or by five or fewer unrelated

persons living together as defined by CPMC Section 17.08. A total of ten (10) unrelated people can currently occupy the duplex.

Conclusion: The Class A Nonconforming structure is adequate in size for the proposed use, however, the site does not provide the required number of off street parking spaces. As a CUP the Planning Commission has the discretion to reduce the parking requirement subject to supporting findings.

B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;

Finding: The project site fronts on Laurel Street an improved City street with curbs. The intended use of the structure will be a residence and it is unlikely to exacerbate traffic conditions as Laurel Street is designed to provide residential traffic flow. An unimproved alley provides access to a carport at the rear of the building.

Finding: No sidewalks exist along this section of Laurel Street and will need to be added in conformance with the City's sidewalk improvement program (see Public Works Staff report dated December 20, 2010). As a condition of approval the Applicant shall either install the sidewalk or sign a Deferred Improvement Agreement stating that the property owner will pay for the sidewalk improvement at such time sidewalks are installed.

Conclusion: The proposed site meets this criterion.

C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;

Finding: The structure was built in the 1950s and operated as a care facility for approximately twenty five years. In 2005 the owner converted the structure to a duplex. The Applicant's proposed use of the building will be similar to the previous use—a care facility and function as a group residence. The existing structure will not be expanded beyond its current footprint. Setbacks, building height, fencing, and landscaping, is expected to be maintained but will not be changed from the current configuration.

Finding: As noted in the above findings, the project site lacks the required number of parking spaces for a convalescent facility; however, the Applicant states that few of the tenants have vehicles and proximity to transit service are considerations for reduction in the number of spaces required. The only location for off-street parking would be to create parking within the Laurel Street front yard setback of the property. A provision to allow tandem parking in the driveway and for the existing rear carport recognizes the existing spaces.

Conclusion: The project can comply.

D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;

Finding: The Applicant agrees to comply with all of the above requirements and states that the Rogue Valley Recovery Homes basic rules of a drug/alcohol free environment is required of each tenant as listed in the program rules (see Applicant Exhibit C). The Applicant states that each tenant must abide by all of the program and house rules or said person can be evicted.

Conclusion: The Applicant has or intends to meet this criterion.

E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:

- 1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district, unless a variance is also granted as provided for in Chapter 17.13,*
- 2. Increasing street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use,*
- 3. Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use,*
- 4. Regulation of points of vehicular ingress and egress,*
- 5. Requiring landscaping, irrigation systems, lighting and a property maintenance program,*
- 6. Regulation of signs and their locations,*
- 7. Requiring fences, berms, walls, landscaping or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility or other undesirable effects on surrounding properties,*
- 8. Regulation of time of operations for certain types of uses if their operations may adversely affect privacy or sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions,*
- 9. Establish a time period within which the subject land use must be developed,*
- 10. Requirement of a bond or other adequate assurance within a specified period of time,*
- 11. Such other conditions that are found to be necessary to protect the public health, safety and general welfare.*

Finding: The building was constructed in the 1950s, designated as a nonconforming structure in 1988 and converted to a duplex in 2005. A duplex is a permitted use in the R-2 district, and CPMC Section 17.08 provides that each dwelling unit of the duplex can be occupied by a family or by five unrelated persons living together for a duplex total of ten (10) unrelated people.

In consideration at this time is the operation of a use within the existing building, and as such, the above conditions are not applicable to the project with the exception of:

E (3). This subsection provides adjustments to off-street parking requirements in accordance with the unique characteristics of the proposed use. CPMC Section 17.64 C (2) requires 1 parking space per two residents for a total of eight (8) spaces for this project. The unique characteristics of the proposed use, a convalescent home for persons recovering from addiction, is that the tenant does not typically have a vehicle. The Applicants states that only approximately 37% of the tenants have vehicles.

The following table illustrates the required parking under various use scenarios¹. Based on the proposed use of the property as a convalescent home there is an off-street parking deficiency of four (4) spaces.

PROJECT SITE OFF-STREET PARKING REQUIREMENTS				
Use	Parking Ratio	Required Parking	Existing Parking	Parking Deficiency
Duplex	2: Dwelling Unit	4	4	0
Residential Home	2:Dwelling Unit	4	4	0
Residential Facility	2:Dwelling Unit	4	4	0
Convalescent Homes	1:Two Beds	8	4	4

Although not located within the TOD district, the project site is adjacent to the boundary (see map Attachment E); the TOD district allows a 25% parking reduction when transit services are available. If a parking reduction were allowed for transit availability, then six (6) parking spaces would be required. This would require two (2) additional parking spaces. Creating diagonal parking within the Laurel Street front yard setback of the property would provide the necessary additional spaces along with a provision to allow tandem parking in the driveway and recognition of the existing tandem parking within rear carport.

Conclusion: The proposed use is not compliant with Section 17.64.C (2), and as such, the Commission is authorized to make adjustments to off-street parking requirements and condition the CUP request. The Applicant shall demonstrate that an adequate number of off-street parking spaces are provided in compliance with CPMC requirements to reduce any potential vehicle parking conflicts that may adversely impact adjacent residents.

¹ CPMC Section 17.64 C (2)

PLANNING COMMISSION RESOLUTION NO. _____

**A RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT
FOR A FIFTEEN (15) PERSON CONVALESCENT HOME****Applicant: Rogue Valley Recovery Homes; Agent: Harry Detwiler.****(37S 2W 03DD, Tax Lot 6000
134 Laurel Street)
File No. 11011**

WHEREAS, the applicant submitted an application for a Conditional Use Permit for the operation of a fifteen (15) person convalescent home to establish a self-run recovery home within an existing duplex located in the R-2, Residential Two-Family (R-2) zoning district and identified on the Jackson County Assessor's map as 37S 2W 03DD, Tax Lot 6000, APN 10140821.

WHEREAS, on January 4, 2011, the Central Point Planning Commission conducted a duly-noticed public hearing on the application, at which time it reviewed the City staff report and heard testimony and comments on the application; and

WHEREAS, the Planning Commission's consideration of the application is based on the standards and criteria applicable to the Conditional Use Permit section 17.76 of the Central Point Municipal code; and

WHEREAS, the Planning Commission, as part of the Conditional Use Permit application, has considered and finds per the Staff Report dated January 4, 2011, that adequate findings have been made demonstrating that issuance of the conditional use permit is consistent with the intent of the R-2, Residential Two-Family (R-2) zoning district, now, therefore;

BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. _____ does hereby approve the application based on the findings and conclusions of approval as set forth on Exhibit "A", the Staff Report dated January 4, 2011, which includes attachments, attached hereto by reference and incorporated herein.

PASSED by the Planning Commission and signed by me in authentication of its passage this 4th day of January, 2011.

Planning Commission Chair

ATTEST:

City Representative

Approved by me this 4th day of January, 2011.

Planning Commission Chair